

Notice of Allowability

Application No.

09/591,245

Examiner

Aaron Strange

Applicant(s)

KIM, JUNG-GI

Art Unit

2153

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Interview on 10/20/2005.
2. ☒ The allowed claim(s) is/are 13,14,16, and 26, now renumbered 1-4.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 10202005.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____



Aaron Strange
Examiner

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ross Dannenberg (Reg. No. 37,709) on October 20, 2005.

IN THE CLAIMS:

2. **CANCEL** claims 7,8,11,12,and 27.

3. In claim 13, **REPLACE** "the operation system" in line 1 **WITH** "the operating system".

4. In claim 13, **REPLACE** "said new firmware" in lines 6-7 **WITH** "said updated firmware".

5. In claim 13, **REPLACE** "said host computer is further operable for attaching" in line 20 **WITH** "said host computer is further configured for attaching".

6. In claim 14, **REPLACE** "a file for a production" in line 5 **WITH** "a file for production".

Art Unit: 2153

7. In claim 14, **REPLACE** "receiving the production file, by a personal computer (PC), downloaded" in line 7 **WITH** "receiving, by a personal computer (PC), the file for production, downloaded".

8. In claim 14, **REPLACE** "the production file" in line 9 **WITH** "the file for production".

9. In claim 14, **REPLACE** "the corresponding region" in line 9 **WITH** "a corresponding region".

10. In claim 14, **REPLACE** "the production file" in line 12 **WITH** "the file for production".

11. In claim 26, **REPLACE** "a file for a production" in lines 4-5 **WITH** "a file for production".

12. In claim 26, **REPLACE** "the production file" in line 8 **WITH** "the file for production".

13. In claim 26, **REPLACE** "the downloaded file" in line 9 **WITH** "the file for production".

14. In claim 26, **REPLACE** "the production file" in line 14 **WITH** "the file for production".

15. In claim 26, **REPLACE** "prior to the creation of the file for production" in lines 15-16 **WITH** "in creating the file for production".

Allowable Subject Matter

16. Applicant's arguments, see pages 8-11, 13, and 14, filed 6/6/2005, with respect to claims 13, 14, 16, and 26 have been fully considered and are persuasive. The rejection of claims of 13, 14, 16, and 26 has been withdrawn.

17. Claims 13, 14, 16, and 26 are allowed.

The following is an examiner's statement of reasons for allowance:

18. With regard to independent claim 13, the prior art of record fails to disclose an apparatus as claimed, and enabled by the specification, comprising a host computer for *converting an execution file into an updated firmware*, a personal computer coupled to the host computer, a firmware board with an interface for communicating with the personal computer, and a first and second memory means on the firmware board, wherein: the personal computer downloads an updated firmware from the host computer and transmits it to the firmware board, where it is analyzed by a production

Art Unit: 2153

processing program and *based on the analysis*, the production processing program operates in either the first or second memory means to store the updated firmware in the first memory means, and wherein the *host computer* is operable for attaching a *storage address information of said first memory means* to the updated firmware.

19. With regard to independent claim 14, the prior art of record fails to disclose a method as claimed, and as enabled by the specification, comprising: providing a flash memory in a firmware board for storing a production processing program; creating, *at a host computer*, a file for production *by converting an execution file prepared in advance into a file for production*; receiving the *file for production* at a personal computer and storing it in the flash memory, wherein the production processing program is duplicated in an externally connected RAM while upgrading the production processing program, and wherein the *file for production* includes a header containing a *storage address of the flash memory, a compression state, and a booting state* for the file for production.

20. With regard to independent claim 26, the prior art of record fails to disclose an apparatus as claimed, and as enabled by the specification, comprising: comprising a host computer for *converting an execution file into a file for production*, a personal computer coupled to the host computer, a firmware board with a flash memory, a DRAM for storing a copy of a production processing program when upgrading the program so that the upgrade can be performed in the DRAM, and wherein the PC stores the *file for production* in the flash memory using the production processing program in the flash

Art Unit: 2153

memory, and wherein the *host computer* attaches a *storage address of the flash memory*, a *compression state*, and a *booting state* for the file for production during creation of the file.

21. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron Strange whose telephone number is 571-272-3959. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2153

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AS
10/20/2005



Dung C. Dinh
Primary Examiner